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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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09/42, 199

8/29/01

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EXAMINER

FLANDRO

ART UNIT	PAPER
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3679

20041029

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

Attachment: Copy of the final page of the Examiner's Answer (mailed 12/12/03) including signatures of all appeal conference conferees.

The application is being forwarded to the BPAI following scanning of the attached document.

RMF  
October 29, 2004

Art Unit: 3679

**Other Relevant Prior Art**

The Examiner also directs the Board's attention to a previously cited reference – Eberspacher (DE 4333089 A1). Eberspacher Figure 5 is deemed to be particularly relevant to the instant claims although it has not been applied formally at this point in the prosecution.

**Conclusion**

In sum, the Examiner maintains that the combination of Grisley and Pontikas includes each and every limitation set forth in the claims (see findings above). For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Ryan M. Flandro  
Examiner  
Art Unit 3679



RMF


November 30, 2003

Conferees

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